

TELEPHONE (312) 258-5500

SCHIFF HARDIN LLP

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

IN RE APPLICATION OF:
SERIAL NO.:

Bernhard Scholz

GROUP ART UNIT: 3736

FILED: 10/614,944 EXAMINER: F. A. Smith

July 8, 2003

CONFIRMATION NO.: 8935

TITLE: METHOD FOR LOCALIZING AT LEAST ONE FOCAL LESION IN A BIOLOGICAL TISSUE SECTION

RESPONSE TO THE OCTOBER 24, 2006 OFFICE ACTION

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED							
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE	
TOTAL CLAIMS	*2	MINUS	**20	X 18	() X 9.00 () X 18.00		
INDEP. CLAIMS	*1	MINUS	3	X	() X 40.00 () X 84.00		
	Application amended to contain any multiple dependent claims not previously paid for.			() YES () NO	() \$140.00 () \$280.00 ONE TIME		
			TOTAL ADDITIONAL FEE FOR THIS AMENDMENT				
					\$00		

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated _____ for _____ months so that the period for response is extended to _____. A check in the amount of \$_____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.

A check in the amount of \$_____ is attached.

A check for \$_____ accompanying IDS under 37 CFR 1.97(c) is attached

A check for \$_____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.

When phoning re this application, please call (312) 258-5500.

SCHIFF HARDIN LLP (Customer Number: 26574)

BY *Steven H. Noll* (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 22, 2007.

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

January 22, 2007

DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO THE OCTOBER 24, 2006 OFFICE ACTION

APPLICANT: Bernhard Scholz GROUP ART UNIT: 3736
SERIAL NO.: 10/614,944 EXAMINER: Fangemonique A. Smith
FILED: July 8, 2003 CONFIRMATION NO.: 8935
TITLE: METHOD FOR LOCALIZING AT LEAST ONE FOCAL LESION
IN A BIOLOGICAL TISSUE SECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Applicant and his counsel have carefully reviewed the Office Action dated October 24, 2006, but believe the claims in their present form are patentable over the teachings of the references relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

R E M A R K S

In the Office Action dated October 24, 2006, claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nachaliel et al in view of Gencer et al. This rejection is respectfully traversed for the following reasons.

As the Examiner has acknowledged, the Nachaliel et al reference discloses a method wherein an array of electrodes on the *surface* of an examination subject to obtain an impedance map, or a number of impedance maps, using these surface electrodes. As the Examiner also has noted, a maximum of the admittance data at the surface of the subject is identified, so as to also thereby identify two dimensions of a position on the surface of the patient at which the maximum occurs. It then